

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
MOON GROUP, INC., <i>et al.</i> ¹ ,)	Case No. 21-11140 (CSS)
)	
Debtors.)	(Jointly Administered)
)	
)	Requested Hearing Date: September 15, 2021 at 10:00 a.m.
)	Obj. Deadline: At the Hearing
)	
)	Related Docket No. 140

**MOTION TO SHORTEN NOTICE WITH RESPECT TO DEBTORS' MOTION
FOR INTERIM AND FINAL ORDERS (I) AUTHORIZING AND APPROVING
EMERGENCY POST-PETITION FINANCING; (II) GRANTING LIENS; AND (III)
PROVIDING SUPERPRIORITY ADMINISTRATIVE EXPENSE STATUS**

Moon Group, Inc. and its debtor affiliates, as debtors and debtors-in-possession (collectively, the “Debtors”), in the above-captioned cases, respectfully request the entry of an order, pursuant to Fed. R. Bankr. P. 4001(c)(2) and 9006(c) and Del. Bankr. L.R. 9006-1(e), shortening the notice period for the *Debtors’ Motion for Interim and Final Orders (I) Authorizing and Approving Emergency Post-Petition Financing; (II) Granting Liens; and (III) Providing Superpriority Administrative Expense Status* (the “DIP Financing Motion”). In support of this motion (the “Motion to Shorten”), the Debtors respectfully state as follows:

1. Pursuant to the DIP Financing Motion filed contemporaneously herewith, the Debtors request, among other things, that the Court authorize the Debtors to obtain Debtor in

¹ The Debtors in these chapter 11 cases, along with the last four digits of each of the Debtors’ respective federal tax identification numbers, are as follows: Moon Group, Inc. (7484); Moon Landscaping, Inc. (3442); Moon Nurseries, Inc. (8411); Moon Site Management, Inc. (0250); Moon Wholesale, Inc. (3232); and Rickert Landscaping, Inc. (3988). The Debtors’ headquarters and mailing address is 145 Moon Road, Chesapeake City, MD 21915.

Possession Financing on an interim basis to avoid immediate and irreparable harm to the Debtors and their estates pending a final hearing. By this Motion, the Debtors request that this Court schedule a hearing on September 15, 2021 at 10:00 a.m. (which is the date set for hearing the Debtors' second day motions), with any objections to the DIP Motion to be made at the hearing.

2. Pursuant to Delaware Bankruptcy Local Rule 9006-1 and Federal Bankruptcy Rule 9006(f), parties are required to provide at least 14 days' notice of routine motions, unless approval of shortened notice is granted by the Court pursuant to Delaware Bankruptcy Rule 9006-1(e) and Federal Bankruptcy Rule 9006-(c)(1). Delaware Bankruptcy Rule 9006-1(e) allows the DIP Financing Motion to be heard upon an approved motion to shorten notice, and upon showing of exigent circumstances, which will allow such relief to be considered at the next scheduled hearing.

3. Moreover, Bankruptcy Rule 4001(c)(2) provides as follows:

(2) *Hearing.* The court may commence a final hearing on a motion for authority to obtain credit no earlier than 14 days after service of the motion. If the motion so requests, the court may conduct a hearing before such 14-day period expires, but the court may authorize the obtaining of credit only to the extent necessary to avoid immediate and irreparable harm to the estate pending a final hearing.

Fed. R. Bankr. P. 4001(c)(2).

4. Here, ample cause exists to grant the request to shorten notice on the DIP Financing Motion. As set forth in the DIP Financing Motion, the Debtors, their creditors and the estates generally would suffer immediate and irreparable harm without access to DIP funding because the Debtors' viability will be jeopardized, resulting in an immediate and pronounced deterioration in the value of the Debtors' businesses.

5. Moreover, Bankruptcy Rule 4001(c)(2) expressly authorizes the Court to consider entry of an interim order granting the DIP Motion on an interim basis.

6. Notice of the DIP Motion and this Motion will be provided by electronic mail or overnight delivery to: (i) the Office of the United States Trustee for the District of Delaware; (ii)

counsel for the Official Committee of Unsecured Creditors, (iii) the Internal Revenue Service; (iv) the Office of the United States Attorney for the District of Delaware; (v) counsel to the DIP Lender; (vi) KORE Capital Corporation; (vii) all secured creditors or their counsel; and (viii) all parties that have requested special notice pursuant to Bankruptcy Rule 2002. Notice of the Motion and any order entered hereon will be served on all parties required by Local Rule 9013-1(m).

WHEREFORE, based on the foregoing, the Debtors respectfully request the entry of an order, in the form attached hereto, shortening the notice period on the Motion, scheduling a hearing on the DIP Financing Motion for September 15, 2021 at 10:00 a.m. on an interim basis and setting the hearing as the objection deadline.

Date: September 13, 2021
Wilmington, DE

SULLIVAN • HAZELTINE • ALLINSON LLC

/s/ William A. Hazeltine

William D. Sullivan (No. 2820)
William A. Hazeltine (No. 3294)
919 North Market Street, Suite 42000
Wilmington, DE 19801
Tel: (302) 428-8191
Fax: (302) 428-8195
Email: bsullivan@sha-llc.com
whazeltine@sha-llc.com

-and-

Jeffrey Kurtzman, Esquire
KURTZMAN | STEADY, LLC
555 City Avenue, Suite 480
Bala Cynwyd, PA 19004
Telephone: (215) 839-1222
Facsimile: (609) 482-8011
Email: kurtzman@kurtzmansteady.com

Counsel for Debtors and Debtors in Possession